

Justice Committee

Railway Policing (Scotland) Bill

Written submission from Police Scotland

Police Scotland is well equipped to undertake the task of the integration of BTP. In 2013, eight legacy forces and two other organisations merged to create Police Scotland. The lessons learned during the creation of Police Scotland will be applied to the integration of BTP. It should also be noted that during the early life of Police Scotland a highly professional level of service continued to be provided to the communities of Scotland. During the integration of BTP we will aim to ensure this is replicated across Police Scotland and the railway network.

1. *The impact, if any, which the devolution of railway policing will have in terms of retaining specialist skills and knowledge built up by British Transport Police Officers.*

Response:

Following integration, in the short to medium term, it is the intention of Police Scotland to retain the current specialist skills and knowledge built up by BTP Officers to ensure a smooth transition into Police Scotland and continued stability within the operational environment. Indeed the current positive working arrangements often see Police Scotland Officers being deployed alongside, or as a first responder to, incidents on the rail network across the country. This is particularly relevant for the more rural areas of Scotland.

In consultation with BTP, we will work to develop a training programme to upskill current front line Police Scotland Officers. In the future, this training will form part of the initial probationer training undertaken by new recruits at the Scottish Police College. Integration of BTP into Police Scotland will therefore increase the number of Officers who are equipped to operate and police within the railway environment. Furthermore, this will also create opportunities to share the experiences of existing BTP Officers with Police Scotland Officers, ensuring specialist skills and knowledge continued to be shared and valued.

At present Police Scotland looks after the majority of the transport infrastructure within Scotland, including the airports, sea-ports and the roads network. As such, integrating the rail network into the current model would appear to be a sensible addition to these arrangements and would ensure there is a consistent approach to operational Policing and governance of all modes of transport within Scottish borders.

As with all aspects of policing however, it is important that the service being provided to the public is continually reviewed to ensure that the principles of 'Policing by Consent' are being adhered to and that Policing in Scotland remains relevant and efficient.

2. *The impact, if any, which the devolution of railway policing will have in terms of cross-border security arrangements.*

Response:

Devolution of railway policing will have no detrimental impact on cross-border security arrangements.

BTP and Police Scotland currently work together on a number of cross-border operations and this close working relationship would be expected to continue with BTP colleagues south of the border, following 1 April 2019. Police Scotland is experienced in working with other cross-border organisations and anticipates no issues working with BTP or service providers across the railway network.

The England v Scotland football match in 2016 was an example of how both organisations worked seamlessly, alongside the MET, to ensure a free flow of information and intelligence.

Police Scotland also work routinely with other neighbouring Forces and Agencies such as Cumbria, Northumbria and NCA on particular operational scenarios. Indeed, in relation to Cumbria and Northumbria, specifically, these arrangements extend to MOU's to address other pre-planned events.

Our current working relationship with CNC and MDP also provide examples of working arrangements which, although are contained within Scottish boundaries, still require significant co-operation to comply with potential issues around jurisdiction.

The process of working towards full integration by 1 April 2019 will involve extensive consultation and engagement with all key stakeholders to ensure any risks associated with this type of operational activity are identified and fully mitigated. BTP are essential to that process in order for Police Scotland to fully understand their working arrangements and as such we would welcome the opportunity for full and early engagement in that regard. A fully collaborative approach will be the key to the delivery of a successful Programme.

3. *The impact, if any, on ensuring consistency in delivering passenger safety and maintaining confidence within railway policing.*

Response:

Keeping People Safe is the key focus of Police Scotland and underpins everything our organisation does on a daily basis. Police Scotland will adapt to new and changing policing demands. Focusing on four key themes we will continue to deliver a police service focused on; protecting the public, localism, serving diverse communities, creating a sustainable operating model and ensuring a culture and performance framework which is open and transparent. Police Scotland's strategic aims will be applied to the railway network and will ensure passenger safety and confidence is maintained and developed.

4. *The possibility that Officers tasked with railway policing in Scotland may be abstracted from their core rail policing duties in order to support wider operational roles within Police Scotland.*

Response:

Prior to integration, Police Scotland will ensure that a Service Level Agreement (SLA) is in place which details minimum resourcing levels in line with current arrangements.

As outlined in response to question one, the merger of BTP into Police Scotland will allow for both conventional and specialist assets to be more routinely deployed into railway policing thereby providing an enhanced service provision to the rail industry and travelling public.

However, in times of crisis for example a major incident such as a terrorist attack, the Chief Constable reserves the right to deploy resources as necessary to deal with any threat posed and in that regard, re-deployment of Police Scotland resources in such circumstances is likely to see an enhanced Policing operation at all transport hubs, including those within the rail network.

5. *Whether there will be any difficulties in setting up new railway policing agreements with railway operators.*

Response:

Police Scotland and the SPA expect to open detailed discussions with stakeholders in early course about the terms of the Railway Policing Agreements.

They already have considerable experience in the successful conclusion and operation of policing agreements in other spheres and see no reason why this new form of agreement should present any issues which are incapable of resolution.

6. *The implications, if any, for BTP Officers who are currently contracted Officers when they are transferred to Crown Servant status including any implications with regard to terms and conditions and pensions.*

Response:

In some respect, given the full details of the regulation will have to be worked through, it is not possible to give a definitive answer. However, some consideration will be as follows:

Currently BTP Officers have a number of terms prescribed by regulation and a number of terms and conditions in respect to their employment status. As they move to be Crown Servants there will have to be provisions made in regulation in respect to their entitlements. Until such regulation is considered and agreed therefore it is not possible to fully outline the implications for transferring BTP Officers.

Any changes proposed under regulations to effect the transfer therefore may result in variations from their current provision and it cannot be determined as to whether they will advantage or disadvantage an Officer. Further, it is unclear as to what measures may or may not be legislated for in respect to preservation of the current provisions in order to mitigate any impacts that could be experienced. For example a current concern is the potential loss of entitlement in respect to free rail travel, this will have to be considered as part of the transfer to look at what arrangements, if any, can be agreed in respect to preservation of the status quo.

Police Scotland
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